

### III. REMARKS

Claims 1-13 and 15-20 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-13 and 14-20 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Sharp (U.S. Patent No. 6,263,317), hereafter "Sharp." Applicants respectfully traverse this rejection, for the following reasons:

Applicants assert that Sharp fails to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1, 9 and 17, Applicants respectfully submit that Sharp fails to teach, *inter alia*, "...a product order where the product includes at least one customer-selectable component." Specifically, Sharp teaches that a consumer enters order information and that the order may include products. Col. 3, line 65; col. 5, line 26. However, Sharp never teaches that the products have components. Furthermore, Sharp also does not teach components that are customer-selectable. In contrast, the present invention provides "...a product order where the product includes at least one customer-selectable component." As such, the product of the claimed invention is not merely included in an order as in Sharp, but, in addition, includes at least one customer-selectable component. Thus, the products of Sharp are not equivalent to the product that includes at least one customer-selectable component as

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included in the claimed invention. Accordingly, Applicants respectfully request that the Office's rejection be withdrawn.

With further respect to independent claim 1, Applicants respectfully submit that Sharp also fails to teach, *inter alia*, "...determining component information of the at least one customer-selectable component included in the product of the received product order, the component information including component availability in real-time by querying a manufacturer system," which is similarly claimed in claims 9 and 17. Specifically, Sharp checks a manufacturer's inventory to determine whether the manufacturer can fill the order. Col. 5, lines 35-38. However, Sharp never specifies that component information is checked, as only products are mentioned as being in an order, not components of products. Col. 5, line 25. The claimed invention, in contrast, includes "...determining component information of the at least one customer-selectable component included in the product of the received product order, the component information including component availability in real-time by querying a manufacturer system." Claim 1. As such, the claimed invention does not merely check a manufacturer's inventory for availability of products as in Sharp, but instead determines component information of the at least one customer selectable component included in the product of the received order. Accordingly, Applicants respectfully request that the Office withdraw the rejection.

With further respect to independent claim 1, Applicants respectfully submit that Sharp also fails to teach, *inter alia*, "...offering the customer at least one order option in real time based on a result of the determination," which is similarly claimed in claims 9 and 17. Instead, the passage of Sharp cited by the Office teaches that

...the inventory of the selected distributor is then checked...to determine whether the selected distributor can fill the order...Otherwise, an alternate distributor is

selected...[and these steps] are repeated until a distributor with available inventory to fill the order is located, or it is determined that all distributors are out of stock of the ordered product. Col. 5, lines 48-55.

However, nowhere in this passage or elsewhere does Sharp teach that the customer is offered at least one order option based on a determination that all distributors are out of stock.

Furthermore, even assuming, *arguendo*, that Sharp did offer such an order option, Sharp teaches that the determination of whether a selected distributor can fill the order involves allowing the supplier a response time in which to accept an order, and therefore, Sharp could not offer an order option in real time. In contrast, the claimed invention includes "...offering the customer at least one order option in real time based on a result of the determination." Claim 1. As such, the claimed invention does not merely determine that all distributors are out of stock of the ordered product as does Sharp, but instead offers the customer at least one order option. Additionally, in contrast to Sharp, the claimed invention offers the customer at least one order option in real time. For the above reasons, the determination that all distributors are out of stock of Sharp is not equivalent to offering the customer at least one order option in real time based on a result of the determination as included in the claimed invention. Accordingly, Applicants request the Office withdraw the rejection.

With still further respect to independent claim 9, Applicants respectfully submit that Sharp fails to teach, *inter alia*, "...to allow the customer to choose an available manufacturing site." Instead, Sharp teaches that the manufacturer specifies a web sales channel conflict resolution protocol for allocating the order to a supplier. Col. 4, lines 12-14. Nowhere does Sharp teach that the customer is allowed to choose an available manufacturing site. Furthermore, it is the supplier to which the order in Sharp is allocated, not the manufacturer. In contrast, the

present invention includes "...to allow the customer to choose an available manufacturing site based on at least one site factor." Claim 9. As such, in the current invention, the customer is allowed to choose the manufacturing site based on at least one site factor. Sharp does not give their customers this choice. Accordingly, Applicants request that the rejection be withdrawn.

With still further respect to independent claim 17, Applicants respectfully assert that Sharp fails to teach, *inter alia*, "...a component information determinator that determines, in real-time, for a selected component option, component availability and at least one of cost of an alternative component, component delivery lag time if the component is only available from a supplier, and product delivery lag time and cost for different manufacturing sites by querying a manufacturer system." As argued above, Sharp does not determine component availability for a selected component option. As further argued above, Sharp does not teach that its allocation is done in real time. In addition, Sharp does not teach determining any of: cost of an alternative component, component delivery lag time if the component is only available from a supplier, or product delivery lag time and cost for different manufacturing sites. In contrast, the present invention includes "...a component information determinator that determines, in real-time, for a selected component option, component availability and at least one of cost of an alternative component, component delivery lag time if the component is only available from a supplier, and product delivery lag time and cost for different manufacturing sites." Claim 17. As such the component information determinator as claimed in the present invention determines information for a component option that has been selected by the customer. This determination is made in real time. Furthermore, this information includes, *inter alia*, component availability and at least one of cost of an alternative component, component delivery lag time if the component is only

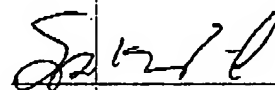
available from a supplier, and product delivery lag time for different manufacturing sites. Sharp does not teach these determinations. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

#### IV. CONCLUSION

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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